

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

THOMAS H. KRAKAUER,

Plaintiff,

v.

DISH NETWORK L. L. C.,

Defendant.

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1:14-CV-333

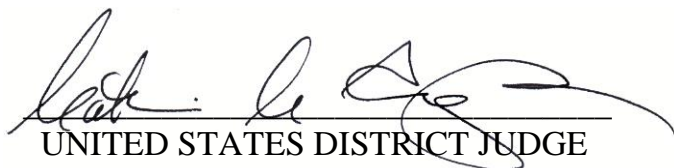
ORDER

This matter is before the Court on the defendant's motion for summary judgment. (Doc. 73.) The Court previously decided that the motion should be denied to the extent it was based on lack of evidence of actual authority, and kept the issues of apparent authority and ratification under advisement. (Doc. 113.)

Upon consideration, the Court grants the motion to the extent it is based on lack of evidence of apparent authority and ratification. The Court concludes as a matter of law that the plaintiff has not presented evidence sufficient to give rise to a disputed question of material fact as to either theory of vicarious liability.

It is **ORDERED** that the defendant's motion for summary judgment, (Doc. 73), is **GRANTED** to the extent stated herein and **DENIED** to the extent previously stated. (See Doc. 113.)

This the 29th day of September, 2015.


UNITED STATES DISTRICT JUDGE